

Mr. NICKLES. Mr. President, I ask for the yeas and nays on the nomination.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is, Will the Senate advise and consent to the nomination of John M. Duncan to be Deputy Under Secretary of the Treasury? The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Nebraska (Mr. HAGEL) and the Senator from Arkansas (Mr. HUTCHINSON) are necessarily absent.

Mr. REID. I announce that the Senator from Delaware (Mr. CARPER), the Senator from South Dakota (Mr. JOHNSON), the Senator from Arkansas (Mrs. LINCOLN), and the Senator from Nebraska (Mr. NELSON) are necessarily absent.

I further announce that, if present and voting, the Senator from Delaware (Mr. CARPER) would vote "aye."

The result was announced—yeas 94, nays 0, as follows:

[Rollcall Vote No. 14 Ex.]

YEAS—94

Akaka	Dorgan	McConnell
Allard	Durbin	Mikulski
Allen	Edwards	Miller
Baucus	Ensign	Murkowski
Bayh	Enzi	Murray
Bennett	Feingold	Nelson (FL)
Biden	Feinstein	Nickles
Bingaman	Fitzgerald	Reed
Bond	Frist	Reid
Boxer	Graham	Roberts
Breaux	Gramm	Rockefeller
Brownback	Grassley	Santorum
Bunning	Gregg	Sarbanes
Burns	Harkin	Schumer
Byrd	Hatch	Sessions
Campbell	Helms	Shelby
Cantwell	Hollings	Smith (NH)
Carnahan	Hutchinson	Smith (OR)
Chafee	Inhofe	Snowe
Cleland	Inouye	Specter
Clinton	Jeffords	Stabenow
Cochran	Kennedy	Stevens
Collins	Kerry	Thomas
Conrad	Kohl	Thompson
Corzine	Kyl	Thurmond
Craig	Landrieu	Torricelli
Crapo	Leahy	Voinovich
Daschle	Levin	Warner
Dayton	Lieberman	Wellstone
DeWine	Lott	Wyden
Dodd	Lugar	
Domenici	McCain	

NOT VOTING—6

Carper	Hutchinson	Lincoln
Hagel	Johnson	Nelson

The nomination was confirmed.

The PRESIDING OFFICER (Mr. SESSIONS). The President will be notified.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now return to legislative session.

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

Mr. LOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The majority leader.

UNANIMOUS CONSENT REQUEST— BANKRUPTCY

Mr. LOTT. Mr. President, as most Members know, the Senate has been waiting for the Judiciary Committee to complete action on the very important bankruptcy bill for some time now. There is a long history behind it. As you recall, we passed the bankruptcy bill last year by a very wide margin, 70–28. The bill was eventually vetoed, even though, when I talked to the President personally about it, I had the impression that he had some hesitancy in vetoing it, but he did. And in view of the lateness of the hour, it was not overridden—an effort was not made to override it.

So at the beginning of this session, it seemed to me this was a bill that had been worked through the meat grinder very aggressively and that we should move it very quickly. So my thought was we should file it and, under rule XIV, bring it directly to the floor of the Senate. I did not make any effort to do that in a surprising way. There seemed to be pretty broad agreement that that would be a reasonable way to approach it.

However, there was some feeling by the ranking member on the Judiciary Committee that the committee should have a chance to have a look at the legislation. I discussed it with the chairman of the Judiciary Committee, Senator HATCH. While he would have preferred that it go straight to the floor, he thought that was a reasonable request and that that would make the Members feel it was being done in a fairer way. So be it; that would be fine.

All along, of course, I was talking to Senator DASCHLE, and we were talking about the best way to proceed, never wanting to surprise him at all. So it went to the Judiciary Committee. At that point then, there was an objection which delayed it for another week. And I thought the next week we would get it out. For a variety of reasons, without pointing fingers at anybody, it did not come out the week before the President's Day work period. Then I thought that this week we would get to it.

I think the committee needs to be congratulated because the committee worked yesterday, it worked again today, and it completed its work. I do not know how many amendments actually were considered, but they dealt in some way with as many as 30 amendments and I guess voted on a whole lot of them. They reported out the bill today, so we are ready to go. I hope we can get to the substance of the bill and have a full and free debate—amendments will be offered, considered, and voted on—and then we will bring this legislation to conclusion.

This is a part of my extraordinary, good-faith effort, I say to the distin-

guished Senator from Minnesota, to make sure we go by regular order—let the committees do their job, be considerate of other Senators' wishes, be considerate of the chairman of the Judiciary Committee, be considerate of the ranking Democrat on the committee, and confer with my colleague, Senator DASCHLE, the leader of the Democrats here in the Senate, to make sure he is aware of what I am thinking, and ask for his help. And he has given it.

So I really bent over backward. It is part of this atmosphere we are trying to create—bipartisanship, working together. As we look toward bringing education to the floor, and campaign finance reform to the floor, and the budget resolution, I am doing everything I can to set a tone where everybody can make their case. Everybody will have that opportunity. But I must say, I am really getting frustrated. However, I am ever hopeful that my gentle nature and my plaintive plea will appeal to the Senators who might have some reservations about us moving to consider this bill.

So, Mr. President, I ask unanimous consent that the Senate begin consideration of the bankruptcy bill, reported out of the Judiciary Committee today, at 10 a.m. on Thursday.

The PRESIDING OFFICER. Is there objection?

Mr. WELLSTONE. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. REID. Will the Senator yield?

Mr. LOTT. I am glad to yield to the distinguished assistant minority leader.

Mr. REID. Mr. President, I say to the majority leader, we know the strong feelings the Senator from Minnesota has, and we respect that wholeheartedly.

I had one problem with the bill that dealt with something that was offered on the floor by Senator SCHUMER and me dealing with clinic violence. It went to conference. They stripped it, even though it passed here by an extremely wide margin.

The Judiciary Committee put that in yesterday. It is in the bill that will come before the Senate. I am very grateful to Senator LEAHY, who worked so hard on this matter, and the entire Judiciary Committee for allowing it to be part of this bill.

I believe it is a much better bill with this provision in it. It was not in the bill when it came to the floor out of conference. I voted against it. I am appreciative of what the Judiciary Committee has done in this regard.

The PRESIDING OFFICER. The majority leader.

Mr. LOTT. Mr. President, I will be glad to yield to the Senator from Minnesota.

Mr. WELLSTONE. Mr. President, I will follow our minority leader. I wanted to respond to what the majority leader said, but I will follow the leader.

Mr. DASCHLE. I would prefer to follow the senior Senator from the State of Minnesota.